



Tfw  
**PATENT**  
**1135-21RE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Vladimir A. Stoy and Gerald Gontarz      Examiner: Alvin J. Stewart  
Serial No.: 10/625,390      Group Art Unit: 3738  
Filed: July 23, 2003      Dated: October 23, 2007  
For: SPINAL NUCLEUS IMPLANT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE FEE	ADDIT. OR	ADDIT. RATE	ADDIT. FEE
TOTAL	51	MINUS 51	=	X \$ 50	X 25	\$	
INDEP.	3	MINUS 3	=	X \$ 200	X 100	\$	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X \$ 360	X 180	\$ 0		
			TOTAL <u>ADDIT. FEE</u>	\$ <u>-0-</u>	OR TOTAL	\$	

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

- [ ] Please charge Deposit Account No. 50-2140 in the amount of \$\_\_\_\_\_. Two (2) copies of this sheet are enclosed.
- [ ] A check in the amount of \$\_\_\_\_\_ is enclosed to cover the fee for a petition for a two month extension of time.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 23, 2007.

Dated: October 23, 2007

Jeffrey S. Steen

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Jeffrey S. Steen  
Reg. No. 32,063  
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt LLP  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

JSS/mp1



**PATENT APPLICATION**  
Attorney Docket No.: 1135-21 RE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Vladimir A. Stoy  
Gerald Gontarz  
Serial No. : 10/625,390  
Filed : July 23, 2003  
For : SPINAL NUCLEUS IMPLANT  
Examiner: Alvin J. Stewart  
Group Art Unit: 3738  
Dated: October 23, 2007

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

Sir:

This is in response to the Office Action mailed July 23, 2007.

No claims are amended so no listing of claims is necessary.

Remarks begin on page 2 of this paper.

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence and any documents referred to as enclosed herewith are being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 23, 2007.

Dated: October 23, 2007

A handwritten signature that appears to read "Jeffrey S. Steen" is written over a circular postmark. The postmark contains the text "U.S. PATENT & TRADEMARK OFFICE" around the perimeter and "OCT 29 2007" in the center.